

1. Carmeuse Lime operates a lime and limestone products production facility, the Carmeuse Lime, Inc. Grand River Operations (Facility), located at 15 Williams Street, Grand River, Ohio, Lake County.
2. On October 4, 2010, Carmeuse Lime submitted a request for Director's Exemption from applicable solid waste requirements in order to conduct a test burn for a six month period in two rotary kilns (Units P001 and P002) at the Facility.
3. Carmeuse Lime plans to use an engineered fuel consisting of 20 percent to 30 percent absorbents (sawdust, paper, cardboard); 5 percent to 20 percent shredded consumer products (shampoos, soaps, personal care goods); 5 percent to 10 percent latex, adhesive waste, and washes; 10 percent to 20 percent oily debris; 10 percent to 20 percent banbury sludge; 10 percent to 20 percent resins, gels and polyols; 5 percent to 20 percent carbon black; and 10 percent to 20 percent shredded plastics and paper goods as an alternative fuel source in their two rotary kilns.
4. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director, by order, may exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes in such quantities or under such circumstances that, in the determination of the Director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a permit or license or comply with other requirements of ORC Chapter 3734 and any rules adopted thereunder.
5. To the extent that the use of this alternative fuel source would require Carmeuse Lime to obtain a permit and license under ORC Chapter 3734 and the rules promulgated thereunder, or comply with OAC Chapters 3745-27 and 3745-37 pertaining to operation and final closure of a solid waste incinerator or solid waste energy recovery facility, the Director has determined that issuance of an exemption to Carmeuse Lime from those requirements so that Carmeuse Lime may use the alternative engineered fuel, as approved by Ohio EPA, is unlikely to adversely affect the public health or safety or the environment.

V. ORDERS

1. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), Carmeuse Lime is hereby exempted from the requirements of ORC Chapter 3734 and the rules promulgated thereunder to obtain a permit and license and comply with the requirements of OAC Chapter 3745-27 and 3745-37 pertaining to operation and final closure of a solid waste incinerator or solid waste energy recovery facility as

these requirements pertain to Carmeuse Lime's plan to use an engineered fuel as an alternative fuel source at the Facility.

2. This exemption shall expire on December 31, 2011.

VI. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action, or demand in law or equity against any person, firm, partnership, or corporation, not a party to these Orders, for any liability arising from, or related to, the Facility.

VII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Carmeuse Lime or the Facility.

IT IS SO ORDERED:

Ohio Environmental Protection Agency



Chris Korleski
Director